

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

MATTHEW JONES,

Plaintiff,

v.

DR. DAVID KALKSTEIN and
ROCKFORD CENTER,

Defendants.

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: C.A. No. K19C-11-030 WLW
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**ORDER ON APPLICATION TO PROCEED
IN FORMA PAUPERIS AND ON PLAINTIFF'S COMPLAINT**

The Court having considered the application to proceed *in forma pauperis* and the affidavit in connection therewith,

IT IS SO ORDERED this 21st day of November, 2019 that:

 X The application is **GRANTED**. The applicant shall:
____ Pay twenty percent (20%) of the applicant's average daily balance in the applicant's inmate account for the previous six months or time of incarceration, whichever period is less.

 X Pay \$100.00 (Or more than 20% of account).

____ No fee or court costs to be paid.

____ The application is **DENIED** without prejudice. This Court must deny your *in forma pauperis* for failure to fully complete all questions asked.

Mr. Jones' Complaint alleges that on or about November 11, 2017, he was transported involuntarily by the Delaware State Police and [the] Crisis Interventions

Services to Rockford Center and treated by Dr. Kalkstein.¹ Plaintiff claims he was suffering from various physical ailments and injuries stemming from alleged rapes in the past caused by the State Police.² Plaintiff further complains that he was not treated for his complaints yet he was diagnosed as schizophrenic and committed to involuntary hospitalization and medication which worsened his condition.³ Some of these complaints appear to be the subject of another cause of action filed in Kent County in *Jones v Delaware State Police, et al*, C.A. No. K19C-09-024 NEP.

Plaintiff claims violations of 42 U.S.C. § 1983, Eighth and Fourteenth Amendments violations, as well as negligence on behalf of the Defendants. Plaintiff claims loss of earning capacity in the past and future; \$40,000.00 in special damages, as well as \$5,000,000.00 for compensatory damages, including pain and suffering, together with costs of this action.⁴

Mr. Jones' allegations are so incredible and patently baseless and without legal support that the Court is persuaded that they are factually frivolous. It does appear to the Court that Mr. Jones intends to use the legal system to harass Defendants and that his filings are abusive of the judicial process.

While Mr. Jones has submitted an affidavit alleging that he complied with 10

¹Pl's Compl. at ¶ 4.

² *Id* at ¶4.

³ *Id* at ¶4.

⁴ *Id* at ¶5-8.

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Del. C. § 8803(e)(1-5), I find that he misleads the Court when he says the facts of his Complaint are true and correct.

Therefore, the Court finds Mr. Jones in Contempt of Court and a sanction of \$100.00 payable the Kent County Prothonotary is imposed. Mr. Jones is barred from filing any other complaints until all outstanding costs and fees are paid.

Accordingly, Mr. Jones' Complaint is **DISMISSED** with prejudice and service of process shall not issue.

IT IS SO ORDERED.

/s/ William L. Witham, Jr.
Resident Judge

WLW/dmh
oc: Prothonotary
cc: Matthew Jones, *pro se*